



Rules of Civil Procedure.

2. *Goodman v. Harris County*, 571 F.3d 388 (5<sup>th</sup> Cir. 2009).

Plaintiffs contend that *Goodman v. Harris County*, 571 F.3d 388 (5<sup>th</sup> Cir. 2009), where the jury awarded \$5,000,000.00 to the mother of a man shot by police, is the most factually similar case to this one. However, it should be noted that the amount of the jury verdict was not contested in *Harris* and thus was not even addressed by the Fifth Circuit. Thus, there is no discussion or evaluation of the damages evidence in *Goodman* which can be compared to the damages evidence in this case. Plaintiff's argument that had *Goodman* involved more than one plaintiff, the result would have been multiplied by the number of additional plaintiffs is pure speculation and not based on any actual facts discussed in the *Goodman* opinion. Moreover, even if the Court were to consider the *Goodman* case as a comparator for evaluating an appropriate remittitur, \$3,000,000 of the \$5,000,000 verdict in *Goodman* was a punitive damages award, and that portion of the *Goodman* verdict should not be considered when evaluating comparative sums under a remittitur/maximum recovery analysis.

RESPECTFULLY SUBMITTED,

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**CERTIFICATE OF SERVICE**

I certify that, on the 14th day of June, 2022, I served a copy of the foregoing document on all parties, by and through their attorneys of record, in compliance with the Federal Rules of Civil Procedure.

**Via CM/ECF:**

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